



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE**

JAN 13 2012

Damian LaBree
Vice President
LaBree's's Bakery
169 Gilman Falls Avenue
Old Town, Maine 04468

Re: Clean Air Act Reporting Requirement

Dear Mr. LaBree:

The United States Environmental Protection Agency ("EPA") is evaluating whether LaBree's Bakery ("LaBree's") located at 169 Gilman Falls Avenue in Old Town, Maine is in compliance with certain requirements of the Clean Air Act (the "Act") and federal regulations promulgated under the Act. These regulations include 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction. This is a federal standard which establishes requirements for the service, maintenance, repair, and disposal of appliances that contain ozone-depleting refrigerants, as required by Section 608 of the Act, 42 U.S.C. § 7671g.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a facility to submit such information as EPA may reasonably require to determine the facility's compliance with the Act. Therefore, within thirty (30) days of receiving this letter, LaBree's is required to provide all of the information outlined below. LaBree's must provide records for the period from January 1, 2007 to present. If LaBree's has records that pre-date January 1, 2007 that are relevant to compliance for the period after January 1, 2007, LaBree's should provide those records as well. Provide a separate numbered response to each numbered paragraph or subparagraph below

1. Provide copies of all correspondence between LaBree's and any federal, state, or local air regulatory agency or body regarding the service, maintenance, repair, and disposal of appliances that contain ozone-depleting refrigerant, during the period from January 1, 2007 to the present.
2. Provide the following information about LaBree's facility:

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

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- a. a description of the ownership and business structure;
 - b. a list of partners or corporate officers;
 - c. the date and state of incorporation;
 - d. a list of any parent and subsidiary corporations;
 - e. the net worth of LaBree's (if not available, provide gross annual receipts);
 - f. the number of people employed by LaBree's.
3. Identify the refrigerants used at LaBree's and indicate whether the refrigerants are Class I or Class II substances or their substitutes (Section 602 of the Act, 42 U.S.C. § 7671a).
4. Provide the name(s) of all employees of LaBree's who maintain, service, remove, repair, or dispose of appliances which contain and use a Class I or Class II substance as a refrigerant at LaBree's. Provide the date of certification for each technician. Indicate the level of certification, and provide a copy of each technician's certificate.
5. Provide the name, address, and telephone number of each person, agent, or business entity from whom LaBree's purchased refrigerant for use at its facility and provide records indicating the amount of refrigerant purchased from January 1, 2007 to present.
6. List all appliances at LaBree's with refrigerant capacities of more than 50 pounds that contain and use Class I or Class II refrigerants or their substitutes. Identify whether each unit is an industrial refrigeration unit, commercial refrigeration unit, comfort cooler, or other type. If another type, please explain its function.
7. For each appliance referenced in question 6, state the quantity of refrigerant (in pounds) the appliance holds at full charge, the type of refrigerant used, and the date the full charge was most recently determined.
8. For each appliance referenced in question 6, provide a description of its location within the facility, along with its name, serial number, or other identification used by LaBree's.
9. For each appliance referenced in question 6, provide copies of any and all work logs, service tickets, invoices, and any other documents maintained by LaBree's and relating to service and repair between January 1, 2007 and the present. Such records shall include:
 - a. the date any service was performed;
 - b. the date each leak was discovered, and amount of refrigerant that leaked.
 - c. a detailed description of all repair work done in association with each leak (if repairs were not conducted, explain why);

- d. the date any initial verification test was performed (prior to adding refrigerant);
 - e. the date any follow-up verification test was performed (after adding refrigerant);
 - f. the date each repair was conducted;
 - g. the amount of refrigerant added; and
 - h. the name of the technician who performed the work.
11. For each appliance referenced in question 6, provide its information separately from the other units
10. For the period from January 1, 2007 to the present, describe the circumstances of any release of refrigerant not meeting the definition of a de minimis release, as described in 40 C.F.R. §82.154(a). For each incident, provide the date the refrigerant release occurred, the person(s) involved and the estimated amount of refrigerant released.

Be aware that if LaBree's does not provide the requested information, EPA may order it to comply and may assess monetary penalties under Section 113 of the Clean Air Act. Federal law also establishes criminal penalties for providing false information to EPA. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act.

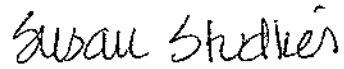
LaBree's may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. §2.203(b). Information subject to such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. Note that certain categories of information, such as emissions data, are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to LaBree's. Please be aware that states may have different rules and regulations governing the protection of confidential business information.

You are required to submit the above-required information to:

Susan Studlien, Director
U.S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Mail Code OES04-2
Boston, Massachusetts 02109-3912
Attn: Abdi T. Mohamoud, Air Technical Unit

If you have any questions regarding this reporting requirement, please contact Abdi T. Mohamoud at (617) 918-1858, or have your attorney call Thomas T. Olivier, Senior Enforcement Counsel, at (617) 918-1737.

Sincerely,

A handwritten signature in black ink that reads "Susan Studlien". The script is cursive and fluid.

Susan Studlien, Director
Office of Environmental Stewardship